

adoption of a single “C” order to eliminate the customer outage problems associated with use of two separate orders. The Seigler declarations included examples of customers (with associated PON numbers) who had experienced outages during their service migration or suffered a decline in call quality as a result of BellSouth’s provisioning the order on different (and probably older) facilities. These comments made no distinction between problems with full migrations and problems with partial migrations of service. **See** Seigler Ga/La I Declaration, ¶¶ 17, 38-50; Seigler Ga/La II Declaration, ¶¶ 9-16.

5. In response to the service outages associated with the two order process, both the Georgia Public Service Commission and the Louisiana Public Service Commission ordered BellSouth to implement a single “C” order to eliminate the service outage and service degradation problems.<sup>1</sup> BellSouth wrote the Georgia Commission that it could not complete the implementation of the single “C” order by the January 5, 2002, deadline established by the Georgia Commission but would implement the change in March 2002. At no time did BellSouth distinguish between full and partial migrations in its written communications with the Georgia or Louisiana Commissions that are publicly available.

6 In the *Georgia/Louisiana 271 Order*, the Commission stated that it was “confident that this issue is resolved” by introduction of the single “C” order and noted its expectation that “BellSouth will take the necessary steps to cure any problem associated with implementation of single ‘C’ ordering.” *Georgia/Louisiana 271 Order* at ¶ 167

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<sup>1</sup> The Georgia Commission ordered BellSouth to implement the single “C” order by January 5, 2002. *See* Comments of Georgia Public Service Commission, CC Docket No. 02-35, *Georgia/Louisiana 271*, at 20-21. The Georgia Commission included a fine of \$10,000 per day for BellSouth’s failure to comply with the order. The Louisiana Public Service Commission ordered BellSouth to implement the single “C” order by April 2002. Docket No. U-22252, Subdocket E, *In re Consideration and review of BellSouth Telecommunications, Inc.’s preapplication compliance with Section 271 of the Telecommunications Act of 1996*. Order No. U-22252(E) (Sept. 21, 2001)

7 BellSouth stated that it implemented the single “C” order in Florida, Georgia, Mississippi, and Louisiana on March 24, 2002. In a Carrier Notification SN91083167 dated June 19, 2002, (attached hereto as Attachment 1) entitled “CLECs -- Implementation of Conversion to Unbundled Network Element (UNE) - Port/Loop Combination via a Single “C” Order,” BellSouth indicated that it was implementing the single “C” order on July 21, 2002, in Alabama and South Carolina and on August 4, 2002 in North Carolina, Kentucky, and Tennessee. BellSouth’s notification made clear that the single “C” order was being applied to UNE-Port/Loop combination conversions:

With the implementation of this functionality, requests submitted for UNE - Port/Loop Combination conversions will be processed via a single “C” type order. Currently, those requests for accounts in [Alabama, South Carolina, North Carolina, Kentucky, and Tennessee] are processed via the issuance of a Disconnect (“D”) and a New Connect (“N”) order.

**II. BellSouth Uses the Single “C” Order Only on Full Migrations But Uses Two Separate Orders on Partial Migrations That Cause Customer Outages.**

8 BellSouth’s Carrier Notification was wrong. BellSouth uses the single “C” order only on full migrations of service, and as AT&T has learned as a result of a customer’s loss of service, for partial migrations. BellSouth continues to use two separate orders to disconnect and connect a customer’s service. AT&T and other CLECs were never told in *any* meeting, *any* announcement (including the Carrier Notification discussed above), or indeed in *any* written communication that the single “C” order would be used only for full migrations and that partial migrations, a significant portion of small and medium sized business orders, would continue to be subject to service disruptions as a result of the use of two separate orders.

9. AT&T learned about the problem as a result of an Alabama customer's loss of service after a partial migration of service. In October, 2002, AT&T submitted a local service request ("LSR") to migrate a portion of a customer's service to AT&T using the UNE-P platform. As AT&T has subsequently learned in investigating this issue, in response to AT&T's LSR, BellSouth issued a new ("N") order to establish the new AT&T service and a change ("C") order to disconnect the associated service in the BellSouth systems on or about October 16, 2002. BellSouth assigned a due date of October 17, 2002, to the "N" order to establish the AT&T service and a due date of October 25, 2002 for the "C" order. The BellSouth service representative subsequently discovered that the "C" order and "N" orders were not properly related and sought to relate the two orders. As was the case with the use of the separate "D" and "N" orders, if the two orders are not related properly, the new service with AT&T would be established by the first order, but then subsequently disconnected by the second order. The BellSouth agent apparently attempted to relate the orders by calling up the "C" order and attempting to relate that order to the "N" order. This attempt apparently produced an error message. The service representative then enlisted a second BellSouth service representative to override the error. At this point, the BellSouth representative believed that the problem had been resolved and that the service would be implemented appropriately. Unfortunately, this representative's actions assured that the customer would lose service.<sup>2</sup> Because the proper procedure was not followed, a "ghost image" of the original "C" order still existed in the BellSouth system with a due date of October 25, 2002. On October 17, 2002, BellSouth processed the "N" order, and the customer was migrated to AT&T UNE-P

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<sup>2</sup> Apparently the BellSouth representative should have canceled the order in its entirety and recreated the order with the correct relationship between the "N" order and the "C" order

service On October 25, 2002, however, BellSouth processed the ghost image of the original "C" order as directed by the BellSouth system and proceeded to disconnect the migrated customer lines

10. AT&T has discussed this issue with BellSouth and understands that BellSouth is Implementing remedial training for the BellSouth representative and additional training for all BellSouth representatives

11. The more significant issue, however, is the existence of the problem in the first place. BellSouth stated in various meetings with CLECs and with state regulators that the single "C" order would resolve problems with UNE-P migrations. **As** an example, the UNE-P Users Group Meeting Minutes for December 6, 2001, prepared by BellSouth, recount the "High-Level Single C-Order Overview" provided by BellSouth in which it described the implementation of the Single "C" Order but gave no indication that it related only to full, but not partial, migrations:

Single C is an effort within BellSouth to process the request to convert an account to UNE-P via the issuance of a single change order. Currently, a new (N) order and a disconnect (D) order are required Conversion scenarios will include Resale to UNE-P (same or different CLEC), Retail to UNE-P (BellSouth to CLEC), and UNE-P to UNE-P (CLEC to CLEC). The account types planned are residence and non-complex business This will eliminate the need for two SOCS orders and the associated coordination. There will be no change in LSR inputs or processing by CLECs. However, BellSouth's internal ordering/billing process will change. Single C will be both manual and mechanized. The targeted implementation date is second quarter of 2002<sup>3</sup>

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<sup>3</sup> UNE-P User Group Meeting Minutes 12/06/01 at 5 (attached as Attachment 5 to Seigler Ga/La II Supp Declaration)

12 Having been informed by BellSouth that implementation of the single "C" order would resolve all problems with service outages resulting from use of separate orders, AT&T and other CLECs are now being told by BellSouth that the "N" and "D" orders related only to full migrations and that BellSouth uses "N" and "C" orders to provision partial migration orders and that partial migrations have not been included in the changes made to BellSouth's systems. When this issue was raised with BellSouth, BellSouth responded that the full migration and partial migration orders were completely separate and acted as if they were not both part of the UNE-P customer migration process:

BellSouth's intent in addressing the UNE-P customer outage problem focused on the new (N) and disconnect (D) order process. Therefore, discussions centered around single C as a solution for outages caused by the N and D order process. At BellSouth, the N and D order process applied to full migrations only. The ordering process for partial migrations which is New and Change (C) orders remains the same. Perhaps incorrect assumptions were made by BellSouth and the CLECs regarding what was being communicated with respect to full and or partial migrations being impacted by the single C solution.<sup>4</sup>

13. After spending more than a year seeking to resolve a serious customer-affecting problem, AT&T and other CLECs have now learned, through yet another customer outage, that the problem has only been partially addressed, let alone resolved. BellSouth never informed *anyone* that its proposed change affected only some, but not all, UNE-P conversion orders. The problems of customer outages affected both full migrations and partial migrations, and the single "C" order solution -- as stated by BellSouth in repeated statements to CLECs, this Commission and state regulators -- was designed to eliminate the problem *in its entirety*. Through either deliberate indifference or conscious neglect, BellSouth has misled the entire CLEC community, this Commission, and state regulators

in Georgia, Louisiana, and elsewhere, in implementing a half-baked response to a real problem that causes real competitive injury to CLECs. This is further evidence that BellSouth has little interest in CLEC concerns or devoting the resources to the change control process to address CLEC issues

14. Further, BellSouth's proposed solution to this matter is unacceptable. BellSouth proposes that CLECs should take up the problem of use of separate orders for partial migrations in the change control process. As documented in AT&T's comments filed in this proceeding, that means the problem will not be resolved until 2004, and CLECs will have to prioritize this request and use some of their 50% of the change capacity to implement a solution that should have been completed several months ago. During the couple years that it takes BellSouth to resolve this provisioning problem, BellSouth will continue to put partial migration customers out of service using two orders after committing last year to change that process.

15. Clearly, BellSouth has not "take[n] the necessary steps to cure any problem associated with implementation of single 'C' ordering," and equally clearly, this problem is by no means "resolved."

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<sup>4</sup> Email from Janet M. Fields, BellSouth, to Denise Berger (Nov. 8, 2002)

## **VERIFICATION**

I declare under penalty of perjury that the facts stated herein are true and correct, to the best of my knowledge, information and belief

\_\_\_\_\_/s/ ~~Denise Berger~~\_\_\_\_\_  
Denise Berger

Date: November 13, 2002

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**BellSouth Interconnection Services**

675 West Peachtree Street  
Atlanta, Georgia 30375

**Carrier Notification**

**SN91083167**

Date: June 19, 2002

To: Competitive Local Exchange Carriers (CLECs)

Subject: CLECs - Implementation of Conversion to Unbundled Network Elements (UNE) -  
Port/Loop Combination via a Single "C" Order

This is to advise that BellSouth will implement Single "C" functionality in the remaining BellSouth states on the following schedule:

July 21, 2002

Alabama  
South Carolina

August 4, 2002

North Carolina  
Kentucky  
Tennessee

With the implementation of this functionality, requests submitted for UNE – Port/Loop Combination conversions will be processed via a single "C" type order. Currently, those requests for accounts in the above-listed states are processed via the issuance of a Disconnect ("D") and a New Connect ("N") order.

This functionality was implemented in Florida, Georgia, Mississippi and Louisiana on March 24, 2002.

Please contact your BellSouth Local Support Manager with any questions.

Sincerely,

ORIGINAL SIGNED BY **JIM BRINKLEY**

Jim Brinkley – Senior Director  
BellSouth Interconnection Services